

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

WYETH,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 08-317 (JJF)
)	
SANDOZ, INC.)	
)	
Defendant.)	

STIPULATION AND ORDER

Pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, it is hereby stipulated by the parties that this action, including all claims, counterclaims and defenses, is dismissed without prejudice. Each party shall bear its own fees and costs.

<p><i>/s/ James W. Parrett, Jr.</i></p> <hr/> <p>Jack B. Blumenfeld (#1014) Karen Jacobs Loudon (#2881) James W. Parrett, Jr. (#4292) MORRIS, NICHOLS, ARSHT & TUNNELL LLP 1201 North Market Street P.O. Box 1347 Wilmington, DE 19899 Tel: (302) 658-9200</p> <p>Anthony Herman Jeffrey B. Elikan Eric R. Sonnenschein COVINGTON & BURLING LLP 1201 Pennsylvania Avenue, N.W. Washington, D.C. 20004 Tel: (202) 662-6000</p> <p><i>Attorneys for Plaintiff Wyeth</i></p>	<p><i>/s/ Daniel V. Folt</i></p> <hr/> <p>Daniel V. Folt (#3134) Duane Morris LLP 1100 North Market Street Suite 1200 Wilmington, DE 19801 (302) 657-4927 Email: dfolt@duanemorris.com</p> <p>Keith D. Parr Scott B. Feder Kevin M. Nelson James T. Peterka LOCKE LORD BISSELL & LIDDELL LLP 111 South Wacker Drive Chicago, IL 60606 Tel: (312) 443-0700</p> <p><i>Attorneys for Defendant Sandoz, Inc.</i></p>
--	---

3118015

SO ORDERED this ____ day of _____, 2009.

UNITED STATES DISTRICT JUDGE